

AGENDA: August 6, 2002

8.1

CATEGORY: New Business

DEPT.: City Attorney

TITLE: Report on the Removal of Mario Ambra

RECOMMENDATION

Receive the report and enter it into the official record of the City of Mountain View.

FISCAL IMPACT—None.

BACKGROUND AND ANALYSIS

On June 4, 2002, the Council asked the City Attorney to prepare a background report on the range of issues which led to the removal of Mr. Mario Ambra from the office of Councilmember for the City of Mountain View. The attached report (Attachment 1) is the first comprehensive review of at the primary issues which led to the reporting of Mr. Ambra to Santa Clara County District Attorney George Kennedy. Mr. Kennedy's office conducted an independent investigation and presented evidence to the Santa Clara County Grand Jury.

The Santa Clara County Grand Jury conducted its proceedings in October 2001 and issued a four-count accusation against Mr. Ambra. The Ambra matter went to trial in April 2002 on the fourth count of the accusation and a unanimous jury convicted Mr. Ambra of willful and knowing misconduct in office. As a result of the conviction, the Honorable John Herlihy, Judge of the Superior Court, entered a JUDGMENT OF REMOVAL, ordering the removal of Mr. Ambra from office on April 18, 2002. Mr. Ambra submitted a written resignation to the City on April 17, 2002; however, his departure from office was as a result of his removal by the court rather than his voluntary resignation.

The report identifies the type of behavior and some of the incidents which led to the reporting of Mr. Ambra to the District Attorney. The report does not identify each and every issue which could be considered misconduct in office by Mr. Ambra. It is submitted to Council for your review and with a recommendation that it be entered into the official record of the City of Mountain View. Copies of the report are available for review at the Mountain View Library and copies may be purchased at the City Clerk's Office for \$10.

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PUBLIC NOTICING—Agenda posting.

Prepared by:

Michael D. Martello
City Attorney

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014-08-06-02M-1^

Attachment: 1. Report on the Removal of Mario Ambra